

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DOMINIC (AKA DIAMOND) VARGAS,

Plaintiff,

v.

CALIFORNIA DEPARTMENT OF
CORRECTIONS AND
REHABILITATION, et al.,

Defendants.

Case No.: 1:20-cv-000083-JLT-CDB (PC)

**ORDER MODIFYING DISCOVERY AND
SCHEDULING ORDER**

(Doc. 82)

Plaintiff Dominic Vargas is proceeding pro se and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983.

I. INTRODUCTION

On October 3, 2025, Plaintiff filed a document titled “Stipulation for 90-Day Extension of Discovery Cut-Off Date and Deadline to File Motion for Summary Judgment and Notice of Deposition of Plaintiff Dominic Vargas Being Moved to After December 2025.” (Doc. 91.)

On October 10, 2025, Defendants filed their notice of non-opposition to Plaintiff’s earlier filing. (Doc. 92.)

Following review of pleadings, the Court will modify the Discovery and Scheduling Order as all parties seek to extend the deadlines for the completion of all discovery and the filing of dispositive motions.

Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, a scheduling order “may be modified only for good cause and with the judge's consent.” Fed. R. Civ. P. 16(b)(4). This good cause standard “primarily considers the diligence of the party seeking the amendment.” *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 609 (9th Cir. 1992). The court may modify the scheduling order “if it cannot reasonably be met despite the diligence of the party seeking the extension.” *Id.* If the party was not diligent, the inquiry should end. *Id.*

III. CONCLUSION AND ORDER

1. Plaintiff's motion to extend the deadlines for the completion of discovery and the filing of motions for summary judgment (Doc. 91) is **GRANTED**; and

a. The deadline for the completion of discovery is extended from November 7, 2025, to **February 5, 2026**;

IT IS SO ORDERED.

Chris D. Brown
UNITED STATES MAGISTRATE JUDGE